IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO. 159 OF 2005
IN
SUMMARY SUIT NO. 2743 OF 2004

Kusum Meghal Shah ..Plaintiff.

Versus

Pravin Joshi ..Defendants.

Mr. Prakash Gariya i/by S.Shukla for the Plaintiff.

Mr. B.G. Tangsali for the Defendant.

CORAM : S. J. VAZIFDAR, J.
DATED : 16TH NOVEMBER,2005.

P.C.:

1. The learned counsel appearing on behalf of the defendant seeks an adjournment to enable him to file a reply. No reasons are given as to why the reply has not been filed so far.

2. The suit is filed to recover the price of the goods sold and delivered by the plaintiff to the defendant on the terms and conditions contained in the invoice. The receipt of the goods and the fact that payment has not been made, is admitted.

3. The plaintiff requested the payment by his letter dated 6th of March, 2004. The plaintiff has

also demanded the payment by Advocate's notice dated 21st April, 2004. There is no reply to either of these letters. There is no defence to the suit.

4. In the circumstances, the Summons for Judgment is made absolute and the suit is decreed as prayed.

5. Refund as per rules.

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